

REMARKS

Claims 1-63 are pending.

I. The Restriction Requirement and Applicant's Provisional Election

The Examiner required restriction, under 35 U.S.C. §§ 121, 372, and considers the application to contain separate and distinct inventions, directed to 4 groups designated Groups I-IV as these inventions or groups of inventions allegedly are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Additionally, the Examiner believes the application contains claims directed to more than one species of the generic invention. The species also allegedly are not so linked as to form a single general inventive concept under PCT Rule 13.1. Therefore, the Examiner believes one of the following species must be elected:

- (i) various phosphine compounds; and
- (ii) various transition metal complexes

See Office Action, p. 1.

In response, Applicants hereby elect, with traverse, Group III, claims 40-61, drawn to a transition metal complex. Applicants also elect, with traverse, (ii) various transition metal complexes, claims 40-63. Applicants specifically direct the Examiner to Examples A15-A17, B5-B6, C4, E4-E5, and F5.

Applicants note that upon allowance of any linking claims, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise requiring all of the limitations of the allowable linking claims will be rejoined and fully examined for patentability in accordance with 37 C.F.R. 1.104.

II. The Search Of Groups III-IV Is Not Unduly Burdensome

Applicants also traverse the restriction requirement on the grounds that the search and examination of Groups III-IV is not unduly burdensome. According to MPEP section 803 "if a search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent and distinct inventions." Applicants suggest that examination of Groups IV, directed to methods

with various transition metal complexes can be made without serious burden and it is respectfully requested that all claims be rejoined with the claims of Group III.

III. Conclusion

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should be charged to our Deposit Account.

Respectfully submitted,

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